

**United States Department of the Interior
Bureau of Land Management**

**Categorical Exclusion
DOI-BLM-CO-SO50-2015-0021 CX**

November 2014

Bennett Grazing Preference Transfer

Location: Norwood, Colorado

**U.S. Department of the Interior
Bureau of Land Management
Uncompahgre Field Office
2465 South Townsend Avenue
Montrose, CO 81401
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CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-S050-2015-0021 CX

PROJECT NAME: Bennett Grazing Preference Transfer

LEGAL DESCRIPTION: T. 46 N., R. 13 W. NMPM

APPLICANT: The Don & Patty Bennett Family Trust

BACKGROUND: Grazing preference and base property for River #07200 and Williams Ditch #07220 allotments have historically been held by Don and Patty Bennett. The BLM has received an application from The Don & Patty Bennett Family Trust for the transfer of grazing preference on River and Williams Ditch allotments based on changes in ownership of the base property. Don and Patty Bennett have sold their base properties to The Don & Patty Bennett Family Trust.

The transfer of grazing preference is considered administrative in nature and serves to transfer livestock grazing privileges, with the same class of livestock and forage allocation, from one grazing preference holder to another. Approval of grazing preference transfers are outlined in 43 CFR 4110.2-1(d) and 4110.2-3.

DESCRIPTION OF PROPOSED ACTION:

The proposed action is to transfer grazing preference from Don and Patty Bennett to The Don & Patty Bennett Family Trust. This grazing preference transfer is the result of changes in control of the base properties associated with the allotment. The Don & Patty Bennett Family Trust is a qualified applicant.

The grazing allotment involved and the associated grazing preference and season of use are summarized in the table below. The proposed action is compliant with 43 CFR 4110.2-1(d) and 4110.2-3.

Allotment Name & No.	Percent Public Land	Active AUM's	Suspended AUM's	Permitted AUM's	Permitted Season of Use
River #07200	100	117	0	117	6/15 – 10-15
Williams Ditch #07220	25	5	0	5	9/15 – 11/30

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

LUP Name: San Juan/San Miguel Resource Management Plan

Date Approved: 1985

Decision Number/Page: 5-11

Decision Language: Chapter 2, Resource Decisions, pages 5-11 describes objectives relating to livestock grazing and Appendix One, Table 1-1 provides management guidelines for livestock emphasis areas.

CATEGORICAL EXCLUSION REVIEW: The proposed action qualifies as a Categorical Exclusion under 516 DM 11.9, Number D.1, which allows "approval of transfers of grazing preference". This is the administrative approval of grazing preference transfer applications.

None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exclusion	YES	NO
1. Have significant adverse effects on public health and safety.	___	<u>X</u>
2. Have adverse effects on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.	___	<u>X</u>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.	___	<u>X</u>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	___	<u>X</u>
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	___	<u>X</u>
6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.	___	<u>X</u>
7. Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places.	___	<u>X</u>
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.	___	___
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.	___	<u>X</u>

10. Have disproportionately high and adverse effect on low income or minority populations. X
11. Limit access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites. X
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species. X

INTERDISCIPLINARY REVIEW:

<u>Name</u>	<u>Title</u>
Glade Hadden	Archeologist
Ken Holsinger	Biologist

REMARKS:

Cultural Resources: There are no known Cultural Resource concerns for this project. Inventory is not required under the provision of BLM Manual 8110.23B4 and the 2014 BLM/Colorado State Protocol.

Native American Religious Concerns: There are none known or anticipated for this undertaking.

Threatened and Endangered Species: Transfer of grazing preference will have no direct or indirect impact. There are no animal or plant species listed, proposed, or candidate to the Endangered Species Act that are known to inhabit or derive important use of the River, and Williams Ditch Allotments.

NAME OF PREPARER: Angela LoSasso

NAME OF ENVIRONMENTAL COORDINATOR:



DATE: 1/15/15

DECISION AND RATIONALE:

I have reviewed this Categorical Exclusion and have decided to approve the administrative transfer of grazing preference from Don and Patty Bennett to The Don & Patty Bennett Family Trust.

There are no impacts to public land since the transfer action only results in a transfer of grazing preference. The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Section: D,

Range Management, Number 1, which allows "approval of transfers of grazing preference". I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: _____



Barbara Sharrow

Field Manager

Uncompahgre Field Office

DATE SIGNED: 1-21-15